



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMK:ALC/LHE/SME
F. #2016R00505

*271 Cadman Plaza East
Brooklyn, New York 11201*

April 19, 2017

By ECF and Email

William A. Burck, Esq.
Quinn Emanuel Urquhart & Sullivan, LLP
777 6th Street NW, 11th Floor
Washington, D.C. 20001

Michael S. Sommer, Esq.
Wilson Sonsini Goodrich & Rosati P.C.
1301 Avenue of the Americas, 40th Floor
New York, New York 10019

Gregory J. O'Connell, Esq.
De Feis O'Connell & Rose, P.C.
500 Fifth Avenue, Suite 2630
New York, New York 10110

Kevin J. O'Brien, Esq.
Ford O'Brien LLP
85 Broad Street, 28th floor
New York, New York 10004

Jonathan S. Sack, Esq.
Morvillo, Abramowitz, Grand, Iason &
Silberberg P.C.
565 Fifth Avenue
New York, New York 10017

Seth L. Levine, Esq.
Levine Lee LLP
650 Fifth Avenue, 13th Floor
New York, New York 10019

Michael D. Mann, Esq.
Sidley Austin LLP
787 Seventh Avenue
New York, New York 10019

Re: United States v. Mark Nordlicht, et al.
Criminal Docket No. 16-640 (DLI)

Dear Counsel:

The government writes to inform you of the general categories of the government's discovery to be produced pursuant to Rule 16 of the Federal Rules of Criminal Procedure ("Rule 16") in the above-referenced case, as previewed at the March 27, 2017 status conference.

In addition to electronic materials recovered through the search executed pursuant to a search warrant at the offices of Platinum Partners on June 22, 2016,¹ the defendants' statements and bank account records,² the government will disclose to you on a rolling basis in the coming months the following other categories of Rule 16 discovery:

- Hard copy materials that were recovered through the search executed pursuant to a search warrant at the offices of Platinum Partners on June 22, 2016;³
- Materials the government has received from the Securities and Exchange Commission that are discoverable under Rule 16;
- Materials produced by auditing firms that prepared PPVA's and other Platinum funds' audited financial statements in relevant years;
- Materials produced by Sterling Valuation Group, Inc.;
- Materials the government has received from the U.S. Attorney's Office for the Southern District of New York, which were recovered through searches executed pursuant to search warrants at Murray Huberfeld's office at Beechwood and the home office of Murray Huberfeld in June 2016; and

¹ The government has not yet disclosed the portion of the electronic search warrant returns that, based on the list of attorney and law firm names provided by former counsel for the defendant Mark Nordlicht, constitutes potentially privileged materials. Such materials will be disclosed separately by the government's firewall team.

² Materials in these three categories were collectively disclosed to you by letters from the government dated January 23, 2017, January 26, 2017, February 14, 2017, February 24, 2017, March 9, 2017, March 27, 2017, April 3, 2017 and April 12, 2017.

³ As with the electronic search warrant returns, the portion of the hard copy search warrant returns that constitutes potentially privileged materials will be disclosed separately by the government's firewall team.

Defense Counsel

April 19, 2017

Page 3

- Materials produced by other third party entities and individuals including but not limited to victims of the charged crimes.

Very truly yours,

BRIDGET M. ROHDE
Acting United States Attorney
Eastern District of New York

By: /s/
Alicyn L. Cooley
Lauren H. Elbert
Sarah M. Evans
Assistant U.S. Attorneys
(718) 254-6389 (Cooley)

cc: Clerk of the Court (DLI) (by ECF)